

# **DESOTO COUNTY BOARD OF SUPERVISORS**

## **BOARD MEETING MINUTES**

### **DISTRICT THREE BILL RUSSELL, PRESIDING**

**March 2, 2015**

#### **A. CALL TO ORDER**

The March 2, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff's Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

#### **B. INVOCATION**

Deputy Carl Hurt of the DeSoto County Sheriff's Department presented the invocation.

#### **C. PLEDGE OF ALLEGIANCE**

#### **D. APPROVAL OF FEBRUARY MINUTES**

The Board of Supervisors considered the minutes for January as presented.

The official minutes of the Board of Supervisors were read for the month of February 2015.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to accept the minutes of the Board of Supervisors for February, 2015, as presented this date with changes to the draft minutes previously submitted. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit D**

#### **E. CITIZEN REMARKS & PRESENTATIONS**

Supervisor Bill Russell asked if there was anyone who wished to come forward who is not on the

Agenda.

No one came forward.

#### **F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS**

Supervisor Bill Russell asked if there was anyone who wished to add or delete items to the Agenda.

Supervisor Mark Gardner asked on the status of hiring the replacement for our Veterans Service Officer Mr. Harmon Massey and when is Mr. Massey's last day with the County.

County Administrator Vanessa Lynchard said Mr. Harmon Massey will be with us until the end of May. She said Mr. Massey is going through the resumes and screening the applicants. She said he hopes to narrow the list down to three applicants for the Board to interview.

Supervisor Bill Russell asked Ms. Lynchard for an update on the GIS and Planning open positions.

Ms. Lynchard said IT Director John Mitchell said he wanted to get the move and construction completed. She said Mr. Mitchell is reaching out to candidates now.

Ms. Lynchard said Planning is in the process of receiving applicants but no interviews have been scheduled.

1. County Administrator Vanessa Lynchard requested adding the following:

- a. Adoption of Roads- Request for Board Attorney to Examine Process
- b. Personnel – DCRUA

Ms. Lynchard asked for the following to be deleted from the Agenda:

- I.3 Contracts Administration: Annual Agreement for Monthly Pest Control Services:  
Proven Pest Control

2. County Road Manager Andy Swims requested adding the following:

- a. Finding of Fact – 1490 Malone Road North
- b. Purchase of equipment that is more than 25,000

3. Board Attorney Tony Nowak requested adding the following to Executive Session:

- a. Litigation – Crosswinds Subdivision
- b. Industrial Prospect- Kayley

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Agenda with the additions and deletions set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**1. County Administrator Vanessa Lynchard requested adding the following:**

**a Adoption of Roads – Request for Board Attorney to Examine Process**

County Administrator Vanessa Lynchard said Supervisor Jessie Medlin wanted to have Board Attorney Tony Nowak examine the process of adopting a road as it relates to county maintenance.

Supervisor Bill Russell said he thought a policy was already in place.

Ms. Lynchard said a policy is in place but it has been a long time since the County has had to take over maintenance of a road. She suggested having the Board Attorney look into the process and make sure we are updated on the statue.

Supervisor Jessie Medlin said that it would be good to set up some guidelines.

Supervisor Lee Caldwell said she would like to know the process on how to abandon a road and change the name of an existing road.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the process of adopting, abandoning and changing a name of a road.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**No Exhibit**

**b. Personnel – DCRUA**

This item was later determined to qualify for executive session.

**c. Industrial Prospect – Project Penton**

This item was later determined to qualify for executive session.

**2. County Road Manager Andy Swims requested adding the following:**

**a. Finding of Fact – 1490 Malone Road North**

Road Manager Andy Swims presented pictures of damages done to private property associated with drainage and erosion at 1490 Malone Road North which is affecting the health, safety and welfare of the public. Mr. Swims said it would be necessary to clean out the ditch and stabilize it with riprap at an estimated cost of \$5,245.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to accept the finding of fact and that the conditions at 1490 Malone Road North are adversely affecting the health, safety and welfare of the citizens of DeSoto County; that cleaning out the ditch and stabilizing it with riprap will help prevent the road from collapsing and protect the road and right of way, and to authorize the Road Manager to proceed with the repairs at an estimated cost of \$5,245; in accordance with Mississippi code section 19-5-92.1.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>

Supervisor Lee Caldwell, Fourth District     YES  
Supervisor Michael Lee, Fifth District       YES

**See Exhibit F.2.a**

**b. Purchase of equipment that is more than 25,000**

County Road Manager Andy Swims said the Lowboy trailer is cracked and the frame is touching the tire. He said the Lowboy may be able to be fixed by a mechanic in Oxford, MS. Mr. Swims said the cost to purchase a new Lowboy could be as much as \$60,000. He said he was able to get a quote on a Used Refurbished 1998 model for \$23,500.

Supervisor Bill Russell said he wasn't comfortable voting on buying another piece of equipment if we don't know the cost to repair.

Mr. Swims said there is a very good chance the Lowboy can't be repaired at all.

Mr. Swims asked for the Board to let him come back later in the day to discuss the two quotes he received to purchase a refurbished Lowboy.

Later in the meeting, JR Conlee with the Road Department presented two quotes to purchase a refurbished Lowboy. Mr. Conlee said Magnolia Trailers, Inc has a refurbished Lowboy at a cost of \$23,500 and the Road Department felt that was the lowest and best bid and would like the Board's approval to purchase.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a purchase by the Road Department, for a Refurbished Lowboy, in the amount of \$23,500 from Magnolia Trailers, Inc. finding the same to be the lowest and best bid .

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District     YES  
Supervisor Mark Gardner, Second District   YES  
Supervisor Bill Russell, Third District       YES  
Supervisor Lee Caldwell, Fourth District     YES  
Supervisor Michael Lee, Fifth District       YES

**See Exhibit F.2.b**

**F.3 Waggoner Engineering Project Penton Invoice**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve processing the invoice for payment from Waggoner Engineering regarding Project Penton.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District     ABSENT  
Supervisor Mark Gardner, Second District   YES  
Supervisor Bill Russell, Third District       YES  
Supervisor Lee Caldwell, Fourth District     YES  
Supervisor Michael Lee, Fifth District       YES

**F.4 Benevolence Committee**

Supervisor Lee Caldwell said there needs to be a committee to discuss policy and procedures when a County Employee passes away. Supervisor Caldwell said the process should be the same across the board.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to Appoint Supervisor Caldwell and Supervisor Medlin along with County Administrator Vanessa

Lynchard and Administrative Assistant Lynn Ford to the Benevolence Committee.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

G. CONSENT AGENDA

The Board of Supervisors considered the following items on the meeting’s Consent Agenda.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda as follows:

1. Department of Human Resources: Monthly Health Claims Report

The following is a recap of all insurance claims funded for the month of February and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
2/1/15	2/3/15	\$84,967.82	Administration Fees
2/2/15	2/3/15	\$72,094.95	Medical
2/2/15	2/3/15	\$8,320.65	Dental
2/2/15	2/3/15	\$9,907.90	Pharmacy
2/9/15	2/10/15	\$27,562.80	Medical
2/9/15	2/10/15	\$6,621.13	Dental
2/9/15	2/10/15	\$21,966.40	Pharmacy
2/16/15	2/18/15	\$37,254.00	Medical
2/16/15	2/18/15	\$9,148.30	Dental
2/16/15	2/18/15	\$32,960.82	Pharmacy
2/23/15	n/a	Not Billed	Medical
2/23/15	n/a	Not Billed	Dental
2/23/15	n/a	Not Billed	Pharmacy
	TOTAL	\$310,804.77	

2. Publication of Board Proceedings

3. Office of Finance & Accounting

a. Budget Amendments

(1)	FOR ELECTION SUPPORT FUND				
		ANNUAL			NEW
ACCT #	LINE ITEM	BUDGET	INCREASE	DECREASE	ANNUAL
001-000-297	Other state revenues	(133,372)	(46,276)		(179,648)
001-182-924	Computer hardware and software	185,229	46,276		231,505
	TOTALS	51,857	0	0	51,857
Reason for Request: To adjust to the current balance of state HAVA funds available for expenditure.					
Requested by: Thomas L. Arnold					

(2)	FOR FACILITIES MANAGEMENT				
		ANNUAL			NEW
ACCT #	LINE ITEM	BUDGET	INCREASE	DECREASE	ANNUAL
001-151-901	Capital improvements	188,000		2,000	186,000
001-151-917	Other mobile equipment < \$5,000		2,000		2,000
	TOTALS	188,000	2,000	2,000	188,000
Reason for Request:	To purchase tool boxes to mount on two pickups. The funds are money left over from the underground power projects at the courthouse.				
Requested by:	Bob Jarman				

b. SID Forfeitures

DECLARATION OF FORFEITURES								
AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-59415	VERNON MCCOY BARBARA SMITH LENZY	01/29/15	DODGE	2003	DURANGO (SILVER)	1D4HS38NX3F563253	1340.00
COUNTY ASSET #44075						T210-L227-F120-D200		
SWAT	FORFEITURE VALUE							\$ 1,340.00

4. Road Department

a. Road Report

b. Work Schedule

c. Road Bond Report

5. Establish as Part of the Formal Record and Enter into the Board’s Minutes

a. Second Amended Agreement of DeSoto County, MS and the City of Southaven, MS for Improving a Section of Swinnea Road

6. Chancery Clerk Allowance (2)                      \$2,016.66                      \$1050.00

7. Tax Collector’s Office: Voided Tax Sale

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G

H. OLD BUSINESS

1. Public Hearing: Nesbit Fire Protection District: 1:00 P.M. carried over from February 18, 2015:

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to open the Public Hearing regarding the Nesbit Fire Protection District that was carried over from February 18, 2015 Board of Supervisor’s meeting.

Board Attorney Tony Nowak said back in January the Board received a petition to create the Nesbit Fire Protection District and determined it was appropriate to proceed with the process of establishing of the District. The Board set a public hearing for the purpose of determining if the

formation of the district was economically feasible and public convenience and necessity require the formation.

Nesbit's Volunteer Fire Department Chief Larry Loomis said the creation of a Fire Protection District at Nesbit would likely lower insurance rates for the homes in the district.

Mr. Loomis said they took the petition around to several areas in the district and we were able to get more than the required signatures needed to proceed.

Supervisor Lee Caldwell said she wanted our citizens to know about this and there is more than a couple thousand residents in the area.

Mr. Nowak said the Public Notice has been published in the paper three times.

Supervisor Bill Russell asked if there would be a millage increase.

Mr. Storey said he believe it would go up one mil.

Supervisor Russell asked for an example on the savings a person could receive on insurance if the fire rating dropped from a ten to an eight.

Mr. Storey said many factors come into play when insurance companies determine someone's premium. He said the savings could be 30% or more.

Mr. Storey said some people in this area are not currently able to get home owners insurance due to the current fire rating of 10-C. Creating the district would, at the very least, allow these home owners the opportunity to secure insurance.

Mr. Harvey Herring of Nesbit, MS. appeared before the Board to say he was in favor of the Fire District and thought it was a great idea. Mr. Herring commended the efforts of Chief Loomis for all his hard work and dedication.

Mr. Herring asked Chief Loomis several questions regarding the training, funding, and equipment of the Fire District.

Supervisor Mark Gardner said Nesbit has made tremendous upgrades with their equipment.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to take this under consideration and continue the Public Hearing to April 6, 2015 at 1:00 p.m. to allow the public to voice their support or objections to the creation of the Nesbit Fire Protection District. Also included in the motion was to authorize Board Attorney Tony Nowak to work on a resolution which requires creation of the district.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell said he would like a couple examples of the one millage increase to a \$100,000 home as well as the actual savings if the Insurance Rating was to be lower.

### **See Exhibit H.1**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing of this day regarding the Nesbit Fire Protection District.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## 2. Vehicle Use Policy

County Administrator Vanessa Lynchard said the IRS deems employee use of a County vehicle as a fringe benefit and taxable income in some circumstances. She said some counties have been tagged by the IRS for not complying with the IRS guidelines.

Ms. Lynchard said the Fringe Benefit Committee had representation from several departments. She said they have Vehicle Use Policy for the Board to approve.

Supervisor Mark Gardner asked who is exempt from the policy.

Sheriff Bill Rasco said the Sheriff's Department is exempt and they have implemented their own rules and regulations to follow.

Supervisor Lee Caldwell asked if we have County cars that go outside the County.

County Road Manager Andy Swims said there is a form for when they go to Memphis. Supervisor Caldwell asked if we have anyone who lives outside the County taking home a County vehicle. Mr. Swims said not in the Road Department.

Supervisor Jessie Medlin asked Board Attorney Tony Nowak if this policy should be incorporated into the new DeSoto County Employee Policy/Handbook. Mr. Nowak said it could be, and now would be the time to do so as the personnel manual is being re-written.

It was asked if other Elected Officials have to use the same policy. Ms. Lynchard said they would have to vote and adopt our policy but they are not exempt from the IRS rules.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Vehicle Use Policy as outlined in Exhibit H.2; and establish as part of the minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Jessie Medlin requested a report submitted to the Board every six months.

**See Exhibit H.2**

## 3. Office of Procurement

### a. Option A Knuckle Boom Truck Bid #15-156-020

Road Manager Andy Swims said the last Board of Supervisors meeting, the Board approved, by a 4-1 vote, to award the bid for the purchase of one knuckleboom truck to the low bidder – Pac Mac Company.

He said the delivery time submitted was 180-200 days and by the AG's opinion under Statue 19-11-27 any road equipment received during the last six (6) months of this year must be approved



by a unanimous vote and the Board must find that the purchase is essential to the efficiency and economy of the operations of the County.

Mr. Swims said he is asking the Board to reconsider the prior vote on the matter and direct him on how to proceed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to reconsider the Board's prior vote on bid #15-156-020

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the purchase of one Knuckle Boom Truck as detailed in Exhibit H.3.a of Bid #15-156-020 and deem the purchase is essential to the efficiency and economy of the operations of the County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.3.a**

#### **4. Board Attorney: MOU and The City of Southaven: Stateline Road Bridge Over Horn Lake Creek**

Board Attorney Tony Nowak said he has a MOU with the City of Southaven relating to work to be performed to improve a bridge crossing for Stateline Road over Horn Lake Creek.

He said the project would be funded, in part, by funding from Natural Resources Conservation Service (NRCS). He said NRCS will provide funding to the County for seventy five percent of the project (75%). The County and the City of Southaven will each pay one half the match, or twelve and one half percent (12.5%). Mr. Nowak said The City of Southaven has agreed to split the property acquisition costs.

County Engineer Scott Young said it is unknown if we have to move utilities.

Supervisor Bill Russell asked if The City of Southaven is totally responsible for any utilities.

Mr. Young said The City of Southaven is responsible for their (Cities) own utilities.

Supervisor Jessie Medlin confirmed the amount would be \$14,725 to the County, based upon current estimates.

Supervisor Russell asked about paragraph 20, if any entity finds their funds are insufficient, they can terminate or cancel.

Board Attorney Tony Nowak said yes according to State Law.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the MOU with the City of Southaven for improving Stateline Road bridge over Horn Lake Creek at a cost of \$14,725 to the County, plus one half the cost of property acquisitions.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.4**

## **I. NEW BUSINESS**

### **1. Advertise County Resources: First Tech Challenge Robotics Team #7802**

Coach Rena Smith of First Tech Challenge Robotics Team appeared before the Board of Supervisors on the Team's recent National Championship. Ms. Smith introduced team members Nathan Rodgers, Jon Rodgers, Will Gaines, Brandon Hess, Cade Holliday, Chandler Holliday, Zack Sahnge, and Skyler Smith.

Mr. Nathan Rodgers said our Mission is: "To promote STEM (science, technology, engineering, and math) and leadership development in the youth of Northwest Mississippi," Through demonstrating our robot, Geoff, and showing people what we have learned through participating in the FTC robotics programs, we hope to: 1) encourage more individuals to consider starting teams so that other youth may have the same opportunities we've had, 2) encourage more businesses and individuals to sponsor and support teams, and 3) encourage more professionals to share their knowledge and expertise with teams.

Mr. Rodgers said after an amazing 2014-15 season in "The Cascade Effect" chasing whiffle balls, they have just won at State and are off to Regionals in San Antonio, TX again. He said they need to raise \$3,000 in just two weeks for the \$500 registration fee, robots parts, and travel costs.

The team then gave a live demonstration of their robot Geoff 2.10.14 that they will be competing with in Regionals.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve an allocation from Advertising County Resources of \$250 to the First Tech Challenge Robotics Team #7802 which is being held in San Antonio; after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board of Supervisors noted that a banner must be placed at the site of the event to advertise the resources of DeSoto County according to the approved policy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.1**

### **2. Litter Program**

Supervisor Russell said DeSoto County is declaring war on litter. He said the committee consisted of himself, Supervisor Caldwell, Ray Laughter, Vanessa Lynchard, and John Mitchell. He said the committee developed a logo and a slogan and the Committee needs some approval from the Board.

County Administrator Vanessa Lynchard said MDOT wants to start a program in the schools. She said Keep MS Beautiful used to sponsor events on certain days only. Now they will support events at any time.

County Supervisor Russell unveiled a sign that could be installed throughout the unincorporated areas of the County. The sign reads **“If You Litter.. Shame on Y’all.”** The sign goes on to state to report violators contact (662) 469-8027 and that individuals could face upwards of a \$250 fine per littering incident. Supervisor Russell said the cost including installation of the sign will be \$60.00 each.

Supervisor Lee Caldwell said litter is an environmental concern as well. She said it just doesn’t stop on our roads it litters our rivers and streams.

Supervisor Caldwell said the Information Technology Department will be able to set up a tracer so that all calls and littering sites can be conveyed to the Sheriff’s Department as swiftly as possible.

She said a litter committee should be formed consisting of one appointee from each Supervisor District and one from each city that will oversee the following: organize clean ups, meet monthly, and organize activities.

Environmental Service Manager Ray Laughter said the County wide **Clean Up Day** has been scheduled for March 28, 2015 9:00 a.m. to noon. Mr. Laughter went over the campaign plans for the event along with other ideas to promote war on litter as detailed in Exhibit I.2. He said the dumpster bins will be at the following locations:

Lewisburg Elementary
Love Fire Department
Nesbit Water Association
Summershill Fire Department #1
Robertson-Donaldson Park
Hernando Middle School
Horn Lake Middle School
Fairhaven Fire Department
Bridgetown Fire Department
Walls Fire Department
Eudora Park
ACI Fire Department Ingram Mill
Cockrum Old Schoolhouse

Supervisor Michael Lee asked how will the county work to enforce the penalty. Supervisor Caldwell said there is a phone number on the sign for citizens to report an incident and the Sheriff’s Department will contact the violator.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve adopt the Litter Plan and authorize the Road Department to order and install the If you Litter, Shame on Y’all signs throughout the County and to move forward with appointing members to the Litter Campaign Appointments.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.2

3. Contracts Administration: Annual Agreement for Monthly Pest Control Service: Proven Pest Management

This item was deleted from the Agenda

See Exhibit I.3

4. Office of Procurement

a. Purchase of Emergency Medical Vehicles

Procurement Clerk Karen McNeil and Emergency Services Director Fiodor Baranuik presented Bid Tab #15-240-001 for the purchase of Emergency Medical Vehicles for the Emergency Services Department and recommended Emergency Equipment Professionals Supply as the best and lowest bid as follows:

	EMERGENCY EQUIPMENT PROFESSIONALS	TAYLOR MADE	EMERGENCY VEHICLE SPECIALISTS	SOUTHEASTERN SPECIALTY			
	2015 Braun Express Type III	2015/2016 Ford E350 Cutaway	2016 Ford E350 Gas Driven 4x2	Ford E350 Cutaway			
	Braun furnished E350 chassis						
	\$ 110,359.50	\$ 119,278.00	\$ 138,320.00	\$ 134,235.00			
COST IF PURCHASING 2 UNITS	\$ 110,109.50						
COST IF PURCHASING 3 UNITS	\$ 109,859.50						
COST IF PURCHASING 4 UNITS	\$ 109,609.50						
COST IF PURCHASING 5 UNITS	\$ 109,359.50						
TRADE-IN ALLOWANCES							
Taylor Made	\$ 5,000.00	\$ 2,000.00	\$ 4,000.00	\$ 7,000.00			
Wheeled Coach	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 9,500.00			
Total Expenditure for 2 Units after Trade-In of 2 Units	\$ 210,219.00	\$ 231,556.00	\$ 268,640.00	\$ 251,970.00			
DELIVERY	90 days after receipt of chassis	120 days after receipt of chassis	280 days after contract	150 days after receipt of chassis			
WARRANTY REPAIR/SERVICE	Located in DeSoto County	135 miles (Newport, AR)	Memphis, TN	485 MILES			
Siren Speakers, Cast Products - Through the Bumper	No - Refer to Recommendation						
Running Boards - Punched Diamond Plate				No			
Lights, Dome LED (8) Whelen	No - Refer to Recommendation						
Lights, Front Grille - 2 Whelen 700 Super LED - Red w/Red Lens				No			
Electrical Compartment (PDQ) - Multiplex Electrical System				No			
Warranties							
Electrical Circuits				No			
Lights, ICC/LED Clearance - On Module Side - Tecniq				No			
Lights, ICC/LED Clearance - On Module Front - Tecniq				No			
Module Body Construction - Seamless		No - Clarified to meet spec					
Door Construction - Gasket Placement		No - Clarified to meet spec		No			
Exterior Compartment Design				No			
Insulation - Polyurethane Spray Foam or Equal				No			
Door Sliding - Module Curbside Passage			No	No			
Fenderettes - Polished Aluminum				No			
Rear Step/Bumper - Flip UP Center Section - Punched and Anodized		No		No			
Stepwell Curbside Doorway			No				
Recessed Adjustable Shelf Track - Cabinets				No			
Counter Top - Recessed Aluminum - Polychromatic Spray Coated			No				
Cabinet - Left Wall, Upper Rear #5 - Fixed Frame			No				
Cabinet - Left Wall, Upper Over Panel #1 - Fixed Frame			No				
Cabinet - Left Wall, Lower Forward #2			No				
Cabinet - Left Wall, Lower #4			No				
Cabinet - Left Wall, Interior #3			No				
Cabinets - Front Wall, Upper #1 & #2			No				
Cabinet - Front Wall, Lower #3			No				
Heat/Air Conditioning, Manual/Auto Select, 10-Speed Blower			No				
Door Panels - Module Passage Doors - Full Length Zolatone w/Access Panels			No				
Reflective Rear Chevron Safety Striping	No - Refer to Recommendation						
Turtle Tile - Skid-Resistant Mat, Curbside Stepwell			No				
RECOMMENDATION: Fiodor Baranuik on behalf of the EMS Committee recommends purchasing three ambulances from Emergency Equipment Professionals at a cost of \$109,859.50 each. Two existing ambulances will be traded for \$5000.00 each. Total expenditure after trade-in totals \$319,578.50. EEP indicated three exceptions to the bid specifications. Upon clarification the county and vendor are in agreement that EEP will follow original specifications without exception with no change in bid price.							

TO: DESOTO COUNTY BOARD OF SUPERVISORS

FROM: KAREN MCNEIL, OFFICE OF PROCUREMENT

DATE: MARCH 2, 2015

RE: EMERGENCY MEDICAL VEHICLE BID CLARIFICATIONS

In regard to the bid for the purchase of two or more emergency medical vehicles, please note the following clarifications were received for the lowest bid response.

Emergency Equipment Professionals indicated a “no” response for the specifications below along with clarifications for each.

1. **SIREN SPEAKERS, CAST PRODUCTS – THROUGH THE BUMPER:** Two Cast Products – 100-watt siren speakers, shall be installed through the front bumper.

EEP indicated on their response the standard Braum procedure is to mount through the grill.

Clarification: EEP will provide the siren speakers through the bumper speakers as requested in the bid specification at no additional charge. EEP clarified they could mount in the grill or the bumper.

2. **LIGHTS, DOME LED (8) WHELEN:** Eight Super LED dome lights (Whelen #60CDEHCR) shall be provided in the patient compartment. The dome lights shall be controlled by separate switches for the left bank and right bank of lights. The dome lights shall be activated by switches on both the attendant control panel and the master control console. The dome lights shall be illuminated at 50% power whenever the patient compartment side or rear doors are opened.

EEP indicated on their response the Braun standard LED lights will be Tecniq.

Clarification: EEP will provide Whelen brand LED dome lighting as required at no additional charge.

The bid specifications provide: "The County understands any specified brand is available to more than one vendor and should not disqualify any bidder. If a bidder can prove equality of a substitution to the specified item, the county will consider that item." EEP bid a comparable item, just a different brand. The specifications allow them to bid a substitute. EEP agreed they could go with the specified brand.

3. **REFLECTIVE REAR CHEVRON SAFETY STRIPING:** Each stripe shall be 10" wide and will interrupt at the blue ¾" pinstripe near the orange belt.

EEP indicated on their response they will provide a 6" stripe.

Clarification: EEP will provide 10" chevron striping as requested in the bid specification at no additional charge.

The clarification of the bidder indicates they would go with a 6" stripe to prevent installation problems.

Clarification was sought to determine whether that meant they would not/could provide the 10" stripes.

The bidder indicated they were simply noting that a 6" stripe may prevent other issues. EEP clarified they could do either width at the same cost.

Tony Nowak has reviewed all documents and advises the three items at issue seem to be minor components of the bid. He feels the material requirements of the bid specifications have been met regardless of the three items.

We are asking the Board of Supervisors to determine that the bid meets the material requirements of the bid specifications and that the three items were sought to clarify ambiguity.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to accept the from Emergency Equipment Professionals, finding that Emergency Equipment Professionals satisfied the bid specifications after clarification of the ambiguities discussed and submitted the lowest and best qualified bid, and purchase three ambulances as recommended in Bid #15-240-001 as detailed in Exhibit I.4.a.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.4.a**

## **5. Road Department:**

### **a. Neel-Schaffer Stormwater Phase II Contract Extension**

County Engineer Scott Young and Susanna Cook of Neel-Schaffer presented to the Board an amendment to the existing 2007 Stormwater-Phase II agreement for year seven of the MS4 General Permit requirements. He said this agreement will provide services through December 31, 2015, and will be revised at that point to include the new statewide permit requirements.

Supervisor Lee Caldwell asked why is there a 10% increase. Mr. Young said there has not been an increase in services since 2007 even though it was a five year contract.

Ms. Cook said all the municipalities have received the same increase.

Mr. Young gave an overview of the work and programs Neel-Schaffer does for the County as explained in Exhibit I.5a.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the amendment to the existing 2007 Stormwater-Phase II agreement for year seven of the MS4 General Permit requirements with Neel-Schaffer through December 31, 2015 as detailed in Exhibit I.5.a.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell asked Ms. Cook to send the Board a bullet point report of their services so that the Board may utilize them more in the coming months.

#### **See Exhibit I.5.a**

#### **b. NRCS Reimbursement: College Rd & Spring Valley Drive Project**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for \$114,750 in reimbursement for the NRCS rip rap projects along College Road and Spring Valley Drive and authorize the Board President to sign all necessary forms.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

#### **See Exhibit I.5.b**

#### **c. Finding of Fact: 9780- 9810 Holly Springs Rd**

Road Manager Andy Swims said a fact finding has been conducted at 9780 and 9810 Holly Springs Road. He presented pictures to the Board showing damages done to private property associated with drainage and erosion, affecting the health, safety and welfare of the public. Mr. Swims said it will be necessary to replace the driveway culverts at these locations and the total estimated repair cost is \$14,646.60

At the recommendation of the Road Manager, Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to declare the damages caused by drainage and erosion on the property located at 9780 and 9810 Holly Springs Road as a health, safety and welfare issue to the citizens of DeSoto County as outlined in Mississippi code section 19-5-92.1 and to replace the driveway culverts at an estimated cost of \$14,646.60.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.5.c**

## **6. Office of Finance and Accounting**

### **a. Claims Docket**

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Jessie Medlin asked about the following claims:

Page 50- Administrative Medical Services. Supervisor Medlin asked if we receive a report. Sheriff Bill Rasco said he would have a report sent to show the history. Later in the meeting Mr. Arnold said the invoice from Administrative Medical Services includes their fees and the medical bills they pay on behalf of the inmates.

Page 78- Supervisor Medlin pointed out the rubbish fees associated The City of Southaven. He said he wants this discussed at the next Solid Waste Committee meeting.

Supervisor Lee Caldwell asked about the following claims:

Page 8 – DeSoto County Co-op, boots. County Administrator Vanessa Lynchard said these boots were purchased prior to the Board approving and implementing the boot policy.

Page 14- A-1, pump the grease pit. Mr. Arnold said this was to pump grease out of drain at new and old jail.

Page 14- Hobart Corporation, Repair. Mr. Arnold said this was to replace a commercial grade dishwasher.

Page 88- Joseph Gee, Contractual fees. Mr. Arnold said this could be his quarterly or monthly fee. Supervisor Michael Lee asked who checks on the status of his work and do we receive a report. Later in the meeting Ms. Lynchard said it was for work done on Odom Road and Dean Road.

Supervisor Mark Gardner asked about the following claims:

Page 17 SMC Lighting Supply- Mr. Arnold said it was to install 20 LED lights in the rotunda of the County Courthouse.

Page 42 Laser Devices Inc, laser sites. Sheriff Bill Rasco said this was for 4 Laser Sites for SWAT.

Page 68 Ginger Candy Harrell, Wal-Mart. Mr. Arnold Ms. Harrell went to Wal-Mart to get office supplies. All invoices have been approved by Judge Chamberlain.

Page 70 Phase II Coins. Mr. Arnold said the coins are used in the Drug Court Program.

Page 85 Tool Central, air compressor. Mr. Arnold said this was for an air compressor mounted to a truck.

Supervisor Bill Russell asked about the claim on page 24, Lambert's coffee service. Mr. Arnold said this service is used for the court system for jurors.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to

authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## **7. Board Attorney:**

### **a. Historic DeSoto Foundation- Resolution Request Local and Private**

Board Attorney Tony Nowak said the prior Local and Private authorizing funding for the Historic DeSoto Foundation bill is expiring and needs to send another bill down this year.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve Board President to sign the Resolution Requesting Local and Private Legislation to donate to the Historic DeSoto Foundation not to exceed \$35,000 annually through 2016.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.7.a**

## **8. Justice Court: Approval to Pay an Appointed Justice Court Public Defender**

County Administrator Vanessa Lynchard said an emergency situation came up. She said Joe Carney; a County Public Defender fell on the ice February 18, 2015 and was unable to be in court February 18 or February 19, 2015. Ms. Lynchard said Attorney Bill Seale stepped in to take Mr. Carney's place and Justice Court needs Board approval to pay Mr. Seale.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to pay Mr. Seale as the same rate as a special prosecutor.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit I.8**

## **J. PLANNING COMMISSION AGENDA**

### **1. CONSENT**

#### **a. Minor Lot**

- i. Casey Ridge (6976) -** Application is for minor lot subdivision approval of four (4) lots on 17.05 acre(s) identified as Parcel(s) #2-06-9-29-00-0-00019-00. Subject property is located on the west side of Ross Rd. and south of Bethel Rd. in Section 29, Township 2, Range 6 and is zoned Agricultural-



- Residential (A-R). (District 5)
- ii. **Claire Marie (6977)** - Application is for minor lot subdivision approval of two (2) lots on 5.1 acre(s) identified as Parcel(s) #3-08-1-11-00-0-00001-05. Subject property is located on the east side of Robertson Rd. S. and south of Morrow Crest Dr in Section 11, Township 3, Range 8 and is zoned Agricultural (A). (District 5)

Mr. Haysley presented the consent agenda and stated the applications conform to the DeSoto County Subdivision Ordinance and that staff does recommend approval of the consent agenda.

Supervisor Lee made a Motion to approve the Consent Agenda items as presented. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

## 2. OLD BUSINESS

### a. Preliminary Subdivision

- i. **Legacy Park- Phase 1 (6967)** - Application is for preliminary subdivision approval of six (6) lots on 132.58 acre(s) identified as Parcel(s) #1-06-7-36-00-0-00002-01. Subject property is located on the south side of Goodman Rd. and west of Polk Lane in Section 36, Township 1, Range 6 and is zoned Planned Business (PB). (District 1)

Mr. Haysley presented the application for Legacy Park- Phase 1 for preliminary subdivision approval of six (6) lots on 132.58 acre(s). He stated the application conforms entirely to the rezoning approval.

Supervisor Caldwell made a Motion to approve Legacy Park- Phase 1 for preliminary subdivision approval of six (6) lots on 132.58 acre(s). Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

## 3. PUBLIC HEARING

Supervisor Gardner made a Motion to open a Public Hearing to consider Watson Place Rezoning (732). Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

a. **Rezoning Amendment**

- i. **Watson Place (732)** - Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #2-07-6-24-00-0-00008-00, Parcel #2-07-6-23-00-0-00007-00, Parcel #2-07-6-24-00-0-00009-00 and Parcel #2-07-6-23-00-0-00011-00. Subject property is located on the east side of Laughter Road and east side of Pleasant Hill Road in Section 23 & 24, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)

Mr. Haysley presented the application for Watson Place for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Unit Development (PUD). He stated the Planning Commission did recommend approval of this application. He then stated that there would be no curb and gutter on the large lots and that the lots on Laughter Road will be accessed by an alley not from Laughter Road.

Supervisor Medlin asked what the minimum lot square footage would be for this subdivision. Mr. Haysley pointed out the minimum house size chart presented in the staff report.

Mr. Haysley stated that the NRCS provided comments about the application and recommended that NRCS give input on this application when the final subdivision approval is applied for.

Supervisor Caldwell asked if the walking/bike lanes will be marked. Mr. Haysley stated they will be striped. Supervisor Lee asked if the roads with the walking/bike lanes will be wider. Mr. Haysley stated they will be a 20 foot travel lane and two 5 foot walking lanes.

Mr. J. F Lauderdale came forward to represent the application. He stated the owner of the property feels there has been enough change in the neighborhood to warrant rezoning the property to a Planned Unit Development (PUD). He went on to identify some of the changes in the character of the neighborhood by noting that there will soon be an interchange for I-269 approximately 1.2 miles from the proposed site; there are utilities installed in the area and Lewisburg Schools are within the area to serve the subdivision. He stated the Comprehensive Plan addresses the need for Residential and Commercial sites in this area.

Mr. Lauderdale stated a portion of the property is approximately 1 foot into the FEMA flood zone. Supervisor Russell asked if the lots will be raised above the flood zone by the 2 foot minimum required. Mr. Lauderdale stated they would be raised to at least 2 feet

Supervisor Russell asked if the detention area will be a lake at all times or will it be dry at times. Mr. Lauderdale stated there will likely be water in the detention area at all times. Supervisor Caldwell asked how large the lake will be and will there be a pump/well in the lake to let water in and out. Mr. Lauderdale stated they are not that far in the planning stage of the lake yet.

Supervisor Caldwell asked where the commercial will be accessed. Mr. Lauderdale stated the commercial will be accessed from the subdivision road.

Supervisor Russell asked if the smaller lots will have front or side loading garages. The developer, Mr. Barry Bridgforth, stated they will be side loading garages.

Supervisor Russell asked if there will be a homeowners association. Mr. Lauderdale confirmed that there will be a homeowners association due to there being 11.5 acres of common open space to be maintained.

Supervisor Lee stated he met with the HOA in Bridgetown and Mr. Bridgforth. He stated a petition was presented that only opposed the commercial portion of this application.

Mr. Bridgforth came forward and stated that he would like to apologize for the late addition to the permitted uses for this PUD. He stated the original permitted uses did not include grocery store and

convenience store. He stated he is willing to decrease the commercial portion of the application to 2 acres, but would not be willing to give up grocery and convenience stores as permitted uses. He stated it was an honest mistake that these uses were omitted from the original application. He stated he would be willing to give up other permitted uses listed in the application. Supervisor Russell asked which uses he would be willing to give up. Mr. Bridgforth stated he would be willing to give up discount retail, drive-thru portion of restaurants but not restaurants completely, and financial centers. Supervisor Gardner stated at the community meeting Mr. Bridgforth stated he would be willing to decrease the commercial portion to 1.5 - 2.0 acres. Mr. Bridgforth stated the Bridgetown HOA rejected that offer.

There was discussion of where the commercial property would be accessed and straightening Laughter Road.

Supervisor Russell asked if there was anyone to speak for or against this application.

Benny Criddle – stated he met with Mr. Bridgforth along with other members of the Bridgetown HOA. He asked whether the Planning staff normally call the applicant and suggest that uses be added to an application. Mr. Haysley stated that it is the job of planners to meet with the developer to discuss proposed rezoning applications and it is not uncommon to recommend additional, or different, uses to make the application more compatible to the Comprehensive Plan. Supervisor Gardner asked if Mr. Ted Garrod the former Director of Planning recommended that the commercial lot be larger. Mr. Haysley confirmed that he did recommend the commercial lot be larger. Mr. Criddle stated the Bridgetown community does not want commercial in the area and that he, the HOA for Bridgetown and Mr. Bridgforth met to try to come to a compromise. Mr. Criddle then stated they are concerned that commercial development will cause safety issues and that a convenience store is not right for this development. He stated their other concern is that this development will decrease the property values in Bridgetown and they have requested if commercial is allowed that they have dark sky lighting and only be allowed to have daytime hours for the commercial portion of the development.

Marvin Thomas came forward and stated he is concerned with water run-off from the proposed development and asked if a water study has been done for this project. Supervisor Russell stated an engineer will have to prove that water run-off is not greater or faster than predevelopment water run-off.

Supervisor Lee stated he received numerous emails from the Bridgetown HOA and the Bridgetown Community. He stated at the community meeting everyone discussed they knew growth was coming but are still concerned with the commercial portion of the proposed development. He then stated there was discussion at the meeting of separating the commercial portion out of the application for the PUD. Supervisor Lee stated the biggest concern is the commercial portion becoming a convenience store. He then stated he was going to recommend separating the commercial portion and approving the residential portion, but Mr. Tony Nowak will need to explain what can be done. Mr. Nowak stated that there are two components of a PUD; there are findings that must be made regarding the whether rezoning is appropriate and then the proposed site plan shall be approved. He then stated the concern is he doesn't feel the Board can approve just the residential part of the application without approval of the commercial part along with the proposed site plan. He then stated any new site plan will need to be taken back. There was discussion what would be required of taking the site plan back before the Planning Commission. Mr. Haysley stated if the developer withdraws the commercial portion completely from the application then the Board could approve the remaining residential portion only. Supervisor Medlin asked if conditions could be placed on the approval that the commercial portion could not be built until a certain percentage of the residential development was complete or for a certain time period.

Supervisor Russell stated he feels that at this meeting Mr. Bridgforth has compromised by removing some of the items from the permitted uses list.

Mr. Bridgforth explained the drainage plan and stated he feels the drainage is under control. before the Planning Commission.

Supervisor Gardner thanked Mr. Bridgforth and the HOA of Bridgetown for the compromises they have made so far.

Supervisor Lee made a Motion to recess a Public Hearing to consider Watson Place Rezoning (732) until March 16, 2015 at 3:00 p.m. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

**b. Zoning Ordinance Amendment**

Supervisor Caldwell made a Motion to open a Public Hearing to consider Zoning Map Update and to consider extending the deadline for applications for Gravel Pits and Mobile Homes in the Agricultural-Residential Zone to December 31, 2015. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

- i. **Zoning Map Update** - The Board of Supervisors will consider adopting an update to the DeSoto County Zoning Map to include all Rezoning applications approved by the Board of Supervisors in the year 2014.
- ii. **Application Deadline Gravel Pits and Mobile Homes in A-R Zone** – The Board of Supervisors will consider extending the deadline for applications for Gravel Pits and Mobile Homes in the Agricultural-Residential Zone to December 31, 2015.

Supervisor Medlin made a Motion to approve the Zoning Map Update and to extending the deadline for applications for Gravel Pits and Mobile Homes in the Agricultural-Residential Zone to December 31, 2015. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>YES</u>

Supervisor Caldwell made a Motion to close the Public Hearing to consider Zoning Map Update and to consider extending the deadline for applications for Gravel Pits and Mobile Homes in the Agricultural-Residential Zone to December 31, 2015. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>

**K. EXECUTIVE**

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

Supervisor Mark Gardner the motion to recess the Board meeting until March 16, at 9:00 a.m. The motion was seconded by Supervisor Michael Lee.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

THIS the 2<sup>nd</sup> day of March, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Bill Russell, President  
DeSoto County Board of Supervisors